

## YOU HAVE THE RIGHT TO A PROPERLY MAINTAINED HOME

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-The new owners of the property are legally required to post their names and addresses on the property.

-Even if a lender takes over the building, they are still legally responsible for maintaining it. If you're having problems with repairs or services that the owner is supposed to provide (like utilities), you should contact the lender. If possible, do this in writing. If you believe your building is in disrepair, you should also call your city or town's housing inspector and ask to have your property inspected for violations of the State Sanitary Code.

-If utilities that the owner was supposed to provide (like water, common area lights, heat or hot water) have been shut off or are threatened with shut off, let the lender know, and also call the state's Consumer Hotline at 617-973-8787 or 888-283-3757. You may be able to keep service on by paying enough of the bill to continue service, and can deduct these payments from any rent due.

## IMPORTANT RESOURCES FOR TENANTS

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Mass Housing Consumer Education Centers  
1-800-224-5124

Massachusetts Bar Association Lawyer  
Referral Program  
617-654-0400

Greater Boston Legal Services  
1-800-323-3205

Harvard Legal Aid  
617-495-4408

Legal Services Center  
617-522-3003

Legal Assistance Corporation of Central MA  
508-752-3718

Massachusetts Justice Project:  
Holyoke: 413-533-2660  
Worcester: 508-831-9888

Merrimack Valley Legal Services  
1-800-336-2262

Western MA Legal Services  
Greenfield: 413-774-3747  
Northampton: 413-584-4034  
Pittsfield: 413-499-1950  
Springfield: 413-781-7814

Homelessness Prevention and Mediation for  
Low-Income Tenants and their Landlords  
617-573-1100

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Deval L. Patrick, Governor

Timothy P. Murray, Lt. Governor

Daniel O'Connell, Secretary, Executive Office of Housing and Economic Development  
Daniel C. Crane, Undersecretary, Office of Consumer Affairs and Business Regulation



Consumer Hotline: 888-283-3757  
[www.mass.gov/foreclosure](http://www.mass.gov/foreclosure)



## TENANTS' RIGHTS: WHAT TENANTS IN FORECLOSED PROPERTIES NEED TO KNOW

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IF YOU ARE A TENANT IN A FORECLOSED BUILDING OR HOME, YOU HAVE CERTAIN RIGHTS. JUST BECAUSE YOUR LANDLORD IS IN FORECLOSURE, YOU DO NOT NEED TO START PACKING YOUR BAGS.

## AS A TENANT, YOU HAVE IMPORTANT RIGHTS YOU MAY NOT KNOW ABOUT

-If your landlord is in foreclosure, the lender who holds the mortgage or an individual may buy the property at a foreclosure sale or auction.

-The new owner, whether it is the lender or another individual, may try to evict you and all tenants from a property immediately after a foreclosure sale, even if you and other tenants have paid rent on time and have not violated any terms of the lease.

-As a tenant living in a foreclosed property, you have certain rights. Even if your property is sold to a new owner who does not want any current tenants, you do not have to leave right away.

-According to a new Massachusetts state law, a tenant's lease will not be immediately terminated by a foreclosure sale. Whether or not you have a lease, you are now entitled to at least 30 days written notice if a lender wants you to vacate your home.

-Someone may ask you to move out very quickly in exchange for money. This is called "cash for keys." No matter what you are told, you do not have to take the deal. If you do, you may be giving up your legal rights and moving much sooner than necessary.

-If you do not want to leave your home, after the new owner gives you the proper 30 day notice, you do not have to leave immediately. The new owner cannot evict you and force you to leave your home against your wishes without court approval.

-Only a judge can evict you. You have the right to stay in your apartment until that happens and to raise defenses and claims in court against the new owner. At the hearing, the court will determine how much time you will be allowed before you have to leave your home. If you lose the eviction case, you can request up to six months (or up to 12 months if someone in your household is 60 years of age or older or has a disability) from a judge before you have to move.

-Under state and federal law, tenants with rental subsidies have additional eviction rights because of the subsidies.

-If you have a rental subsidy, let the agency who gave you the subsidy know about the change in ownership, so that they stop paying the old owner. The terms of your rental agreement will not be affected by a foreclosure sale.

-Being in a foreclosed building does not, by itself, entitle you to withhold rent. If a new owner takes over and does not want to accept your rent, keep a record of your offer to pay.

